

REMARKS

The enclosed is responsive to the Examiner's Office Action mailed on May 17, 2010. By way of the present response applicants have: 1) amended claim 15; 2) added no claims; and 3) canceled no claims. No new matter has been added. Reconsideration of this application as amended is respectfully requested.

35 U.S.C. §112 Rejections

Claim 15 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite and as being incomplete for omitting essential elements. In particular, the Examiner stated that it is unclear as to what element is actually arranged so that the electroluminescent elements in different arrays are activatable simultaneously. Applicants respectfully disagree. The claim states that the light-emitting panel is arranged as claimed. In the interest of furthering prosecution, however, applicants have amended claim 15 to recite "wherein" instead of "arranged so that" to eliminate any confusion. Accordingly, applicants submit that the rejection of claim 15 has been overcome.

Claim Rejections – 35 U.S.C. §102

Claims 1-2, 4-7, 10, 17-21, and 28-31 stand rejected under 35 U.S.C. §102 as being anticipated by U.S Patent Publication No. 2003/0098643 A1 by Park et al, ("Park"). The Examiner stated that the rejection was based upon 35 U.S.C. §102(b). Applicants note, however, that the present application claims priority Great Britain Patent Application No. 0308161.9, which was filed April 9, 2003, which is prior to the publication date of Park (May 29, 2003). Accordingly, applicants assume *arguendo*

that the Examiner intended to base the rejection upon 35 U.S.C. §102(e) rather than 35 U.S.C. §102(b). Additionally, applicants do not admit that Park is prior art and reserve the right to swear behind Park at a later date.

Applicants respectfully submit that Park fails to disclose

a transparent substrate;
a plurality of electroluminescent elements on the surface of the transparent substrate;
a plurality of dielectric elements located between the electroluminescent elements; and
a plurality of conductive elements in contact with the dielectric elements, arranged ***so as to apply a voltage across each of the plurality of electroluminescent elements in a direction substantially parallel to the surface of the transparent substrate.***

(Claim 1) (emphasis added).

The Examiner alleges that Park's fluorescent layer (61) is equivalent to the claimed electroluminescent elements. Applicants respectfully disagree. Park describes a plasma flat lamp (also known as a discharge lamp or fluorescent lamp). In such lamps, a voltage is applied by electrodes across gas inside the lamp. This causes the gas to emit light in the ultraviolet spectrum. A fluorescent layer is applied to the inside surface of the housing. The fluorescent layer absorbs the ultraviolet light omitted by the gas and re-emits the energy in the form of visible light. (e.g., Park, paragraph [0043]). In other words, the fluorescence described in Park is the emission of light by a substance that has absorbed radiation.

In contrast to Park's flat lamp, claim 1 recites a plurality of electroluminescent elements. Electroluminescent elements emit light as a result of a voltage or electric field applied across them. Applicants respectfully submit that this is very different than the properties of the fluorescent lamp described in Park. The claimed

electroluminescent elements emit light as a result of an electric field applied across them, not as a result of ultraviolet irradiation.

Applicants respectfully submit that Park fails to disclose electroluminescent elements and, therefore, also fails to disclose dielectric elements located between the electroluminescent elements and a plurality of conductive elements in contact with the dielectric elements, arranged so as to apply a voltage across each of the plurality of electroluminescent elements in a direction substantially parallel to the surface of the transparent substrate.

Accordingly, applicants respectfully submit that the rejection of claim 1 has been overcome.

Given that claims 2, 4-7, 10, and 17-21 are dependent upon claim 1, and include additional features, applicants submit that the rejection of claims 22, 4-7, 10, and 17-21 has been overcome for at least the reasons set forth above.

Regarding claim 28, similar to claim 1 above, Park at least fails to disclose

depositing **a plurality of electroluminescent elements** on a transparent substrate;
depositing a plurality of dielectric elements on the substrate in the gaps **between the electroluminescent elements** so that the dielectric elements extend further away from the substrate than **the electroluminescent elements**; and
depositing a conductive element on the top of each dielectric element.

(Claim 28) (emphasis added).

Accordingly, applicants respectfully submit that the rejection of claim 28 has been overcome.

Regarding claim 29, similar to claim 1 above, Park at least fails to disclose

A method of emitting light from a light-emitting panel, wherein the panel includes a transparent

substrate, **a plurality of electroluminescent elements** on the surface of the transparent substrate, a plurality of dielectric elements located **between the electroluminescent elements**, and a plurality of conductive elements in contact with the dielectric elements, arranged so as to **apply a voltage across each of the plurality of electroluminescent elements** in a direction substantially parallel to the surface of the transparent substrate, the method comprising:
supplying an alternating voltage to alternate conductive elements so that **each of the electroluminescent elements is provided with an alternating voltage across it** and emits light.

(Claim 29) (emphasis added).

Accordingly, applicants respectfully submit that the rejection of claim 29 has been overcome for at least the reasons set forth above.

Regarding claim 30, similar to claim 1 above, Park at least fails to disclose

A method of emitting light from a light-emitting panel, wherein the panel includes a transparent substrate, **a plurality of electroluminescent elements** on the surface of the transparent substrate, a plurality of dielectric elements located **between the electroluminescent elements**, and a plurality of conductive elements in contact with the dielectric elements, arranged so as to **apply a voltage across each of the plurality of electroluminescent elements** in a direction substantially parallel to the surface of the transparent substrate, the method comprising:
supplying an alternating voltage to adjacent pairs of the conductive elements so as to activate a first set of **alternate electroluminescent elements** to emit light.

(Claim 30) (emphasis added).

Accordingly, applicants respectfully submit that the rejection of claim 30 has been overcome for at least the reasons set forth above.

Given that claim 31 is dependent upon claim 30, and includes additional features, applicants submit that the rejection of claim 31 had been overcome for at least the reasons set forth above.

Claim Rejections – 35 U.S.C. § 103

Claims 11-16 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Park in view of U.S. Patent Publication No. 2006/0244357 by Lee et al (“Lee”).

Applicants respectfully submit that Lee is not prior art to the present application. The present application claims priority Great Britain Patent Application No. 0308161.9, which was filed April 9, 2003. The priority date of the present application is therefore prior to Lee.

Given that claims 11-16 are dependent upon claim 1, and include additional features, and given that Lee is not prior art, applicants submit that the rejection of claims 11-16 has been overcome for at least the reasons set forth above.

Claims 24 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Park.

Given that claims 24 and 25 are dependent upon claim 1, and include additional features, applicants submit that the rejection of claims 24 and 25 has been overcome for at least the reasons set forth above.

Claim 26 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Park in view of U.S. Patent No. 6,422,714 by Hubbell (“Hubbell”).

Applicants respectfully submit that the combination of Park and Hubbell fails to disclose

A sign panel, comprising:
a light-emitting panel including
a transparent substrate,
a plurality of electroluminescent elements on the surface of the transparent substrate,
a plurality of ***dielectric elements located between the electroluminescent elements,*** and
a plurality of conductive elements in contact with the dielectric elements, arranged so as to ***apply a voltage across each of the plurality of electroluminescent elements in a direction substantially parallel to the surface of the transparent substrate;*** and
a transparent, retroreflective layer arranged on the opposite side of the transparent substrate to the electroluminescent elements.

(Claim 26)(emphasis added).

As argued above, Park fails to disclose the above-emphasized features.

Applicants respectfully submit that Hubbell is focused on an illuminated traffic sign and its power source. While Hubbell describes using an electroluminescent panel, Hubbell provides no detail as to said panel. Additionally, the Examiner has alleged that the combination of Park and Hubbell would be obvious to insert the lamp described in Park (while the Office action actually recites Shi, cited in the previous Office Action, applicants assume that the Examiner intended to use Park) into the traffic sign described in Hubbell. The Examiner's combination would remove Hubbell's electroluminescent panel and replace it with Park's fluorescent lamp. Such a combination would contain no electroluminescent elements and, therefore, suffer the same shortcomings of Park described above.

Accordingly, applicants respectfully submit that the rejection of claim 26 has been overcome.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claim 8-9, 22, and 27 contain allowable subject matter if rewritten to include all the limitations of the claims from which they each originally depended. Applicants reserve the right to rewrite claims 8-9, 22, and 27 in independent form at a later date.

CONCLUSION

Applicants respectfully submit that in view of the amendments and arguments set forth herein, the applicable objections and rejections have been overcome. Applicants reserve all rights under the doctrine of equivalents.

Pursuant to 37 C.F.R. 1.136(a)(3), applicants hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 C.F.R. 1.16 and 1.17, to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: May 14, 2010

/Ryan W. Elliott/

Ryan W. Elliott
Reg. No. 60,156

1279 Oakmead Parkway
Sunnyvale, CA 94085-4040
(408) 720-8300